

Abstract

This diploma thesis provides to the reader an analysis of one of the most complex institutes of substantive criminal law - participation. Its aim is to focus mainly on the current legislation of participation, but also to criticize it and to propose the changes in legislation. Apart from the introduction and conclusion, the thesis consists of a total of six parts.

The first part of the thesis is devoted to defining the concept participation together with concepts associated with participation. First of all, the concept criminal cooperation is defined, in which the division of participation we can find, and then the division of participation itself is discussed.

The second part analyzes individual conditions and principles of participation, on which this institute is built. Accessory of participation, which is crucial for this institute, is discussed in more detail.

The third part deals with individual forms of participation. Firstly the conditions of criminal liability are analyzed from the most serious form to the least serious one. For each individual form there are then discussed the specifics of the form associated. The chapter related to organizing distinguishes this from an organized group and an organized criminal group. At abetting there is the institute of agent provocateur and hiring for committing a crime discussed in more detail. At aiding there are forms of aiding described and there is this form distinguished from complicity.

The fourth part of the thesis analyzes the punishment of participants. Firstly the punishment of offenders in general is described first, and then the procedure for imposing punishment on participants is defined.

The fifth part deals with the extinction of criminal liability of the participation. The first chapter of this section deals with the general conditions for the extinction of the criminal liability, in the second one the extinction of participant criminality is specified.

The last sixth part of this thesis deals with *de lege ferenda* reflections. This section outlines the criticized aspects of the institute of participation and suggests possible changes to the current legislation.

Key words: participation, criminal cooperation, aiding

Název práce v anglickém jazyce: Participation